

Applicant : Randy G. Cooper et al.
Serial No. : 10/730,637
Filed : December 8, 2003
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Attorney Docket No. P-JK-01470

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REMARKS

Claims 1-9, 11, 13-14, 16-34, 68-69, 71, and 75-82 are pending, with claims 1, 19, 81, and 82 being independent. Claims 1 and 19 have been amended, claims 77-82 have been added, and claims 10, 12, 15, 35-67, 70, and 72-74 remain cancelled.

Applicants respectfully request reconsideration in light of these amendments and the following remarks.

35 U.S.C. §§ 102(b)/103(a) Gondar Rejections

Claims 1-4, 6, 7, 16-20, 22, 23, 26, 32-34, 68, 69, 71, 75, and 76, have been rejected under 35 U.S.C. § 102(b) as being anticipated by Gondar (U.S. Pat. No. 5,667,565). Claim 31 has been rejected under 35 U.S.C. § 103(a) as being obvious over Gondar. For at least the following reasons, Applicants respectfully request withdrawal of these rejections.

Gondar does not describe or suggest at least the claimed "base including a member configured to clamp the base about the motor housing," as recited in independent claims 1 and 19. Gondar describes a nozzle body 30 (which the Examiner equates to the claimed base) with an apertured attachment flange 32 that receives a portion of a machine tool MT (which the Examiner equates to the claimed motor housing). However, in Gondar, there is no "member configured to clamp the base about the motor housing." Because Gondar fails to describe or suggest at least this feature, claims 1 and 19, and their dependent claims 2-4, 6, 7, 16-18, 20, 22, 23, 26, 32-34, 68, 69, 71, 75, and 76, are patentable over Gondar.

35 U.S.C. § 103(a) Gondar/Yano/Lui/Williams Rejections

Claims 5, 8, 9, 11, 13, 14, 21, 24, 25, 27, 29, and 30, which depend directly or indirectly from independent claims 1 and 19, have been rejected under 35 U.S.C. § 103(a) as being obvious over Gondar in view of one of Yano (U.S. Pat. No. 5,640,741), Lui (U.S. Pat. No. 6,506,006), and Williams (U.S. Pat. No. 6,266,850). For at least the following reasons, Applicants respectfully request withdrawal of these rejections.

None of these references, alone or in combination, remedy the deficiencies of Gondar discussed above with respect to independent claims 1 and 19. In particular, Yano relates to a soft grip to cover a portion of a handle of a power tool, Lui relates to a power

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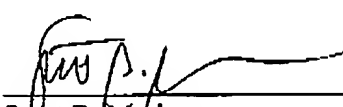
hand tool having a detachable D-shaped handle, and Williams relates to a hand-tool having adjustable handles. Yano, Lui, and Williams, alone or in combination, fail to describe or suggest at least a "member configured to clamp the base about the motor housing," as recited in claims 1 and 19. For at least these reasons, dependent claims 5, 8, 9, 11, 13, 14, 21, 24, 25, 27, 29, and 30 are patentable over Gondar, Yano, Lui, and Williams, or any combination thereof.

Conclusion

Applicants do not acquiesce to the characterizations of the art. For brevity and to advance prosecution, however, Applicants have not addressed all characterizations of the art, but reserve the right to do so in further prosecution of this or a subsequent application.

Enclosed is an authorization to charge \$300.00 to deposit account 02-2548 for excess claim fees. Please apply any other charge or credit to deposit account 02-2548.

Respectfully submitted,

Date: 9/11/06

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